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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 John Montenegro Cruz,

10 Petitioner,

11 v.

12 Charles L. Ryan, et al.,

13 Respondents.

No. CV-13-00389-TUC-JGZ

DEATH PENALTY CASE

ORDER

14 Before the Court is Petitioner's request for authorization of federal habeas counsel
15 to appear in state court litigation. (Doc. 53.) Having reviewed the motion, the Court finds
16 good cause to permit Petitioner's federally-appointed counsel to represent him in a
17 successive state post-conviction proceeding under Rule 32 of the Arizona Rules of
18 Criminal Procedure. *See* 18 U.S.C. § 3599(e); *Harbison v. Bell*, 556 U.S. 180, 190 n.7
19 (2009). By granting Petitioner's motion, the Court does not convey any position with
20 respect to the merits of the proposed litigation.

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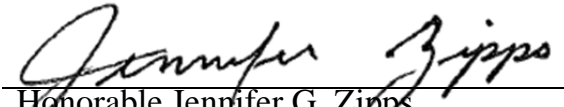
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1 Based on the foregoing,

2 IT IS ORDERED that Petitioner's *Ex Parte* Motion for Leave to Provide Legal
3 Representation in State Court Postconviction Proceedings (Doc. 53) is GRANTED.
4 Federally-appointed counsel is authorized to represent Petitioner in state court for the
5 purpose of seeking state post-conviction relief under Rule 32 of the Arizona Rules of
6 Criminal Procedure.
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8 Dated this 27th day of September, 2016.
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11 
12 Honorable Jennifer G. Zipps
13 United States District Judge
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